



DEPARTMENT OF THE NAVY
NAVAL SPECIAL WARFARE COMMAND
2000 TRIDENT WAY
SAN DIEGO, CALIFORNIA 92155-5599

IN REPLY REFER TO:
5720
Ser N01GC/837
May 16, 2019

Mr. Donavan Turner
MuckRock News
DEPT MR 63675, 411A Highland Avenue
Sumerville, MA 02144-2516

Dear Mr. Turner:

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST 2019-S-N-029

This letter responds to your Freedom of Information Act (FOIA) request assigned Naval Special Warfare Command (NAVSPECWARCOM) number 2019-S-N-029. Specifically, you are requesting the Official Military Personnel File (OMPF) for the person subject to this request.

While FOIA supports full disclosure of federal agency records, it does not grant an absolute right to examine all government documents. Accordingly, information about another individual may be requested under FOIA, but release is subject to a balancing test to decide whether the privacy interest of the affected party outweighs the public interest in release of said information.

As your third party request is for information about another person, this command balanced your rights under the FOIA with the individual's right to privacy, and determined it would be inappropriate to disclose the records you seek.

This response is a full denial of your request under Title 5 U.S.C. § 552 (b)(3) pursuant to 10 U.S.C. § 130b, 5 U.S.C. § 552 (b)(6) and 5 U.S.C. § 552 (b)(7)(F) of the FOIA.

There are no fees associated with the processing of your request.

If you are not satisfied with this decision, you may appeal within 90 days to the appellate authority, the Director of Oversight and Compliance, Office of the Secretary of Defense (OSD). To submit your appeal, you should write directly to: ODCMO Director of Oversight and Compliance, 4800 Mark Center Drive, ATTN: DPCLTD, FOIA Appeals, Mailbox #24, Alexandria, VA 22350-1700. Appeals can also be made via the OSD FOIA portal at <http://pal.whs.mil/palMain.aspx> or by email at OSD.FOIA-APPEAL@mail.mil. Your appeal should cite the case number, and be clearly marked "Freedom of Information Act Appeal."

You may also contact the FOIA Public Liaison, at osd.foialiaison@mail.mil for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: email at ogis@nara.gov; telephone at 202-741-5770; or mail at 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001.

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If you have any questions concerning this matter, please contact NAVSPECWARCOM FOIA/PA Office, Mr. Eric Erdmann, at 619-537-1133, or nsw-foia@socom.mil.

Sincerely,



B. M. DRECHSLER
CAPT, U. S. Navy
Chief of Staff

Transmitted via electronic mail to 63675-69909876@requests.muckrock.com.